

## Message Text

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ACTION COME-00

INFO OCT-01 EA-10 ISO-00 EB-08 USPS-01 L-03 CIAE-00

INR-07 NSAE-00 TRSE-00 /030 W

-----124509 310627Z /13

R 310439Z AUG 77

FM AMEMBASSY SEOUL

TO SECSTATE WASHDC 6098

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E.O. 11652: N/A

TAGS: ETEL, BGEN, BDIS, ETRD, KS

SUBJ: PENDING ROK RESTRICTIONS ON FORWARDING DOCUMENTS

1. EMBASSY HAS BEEN APPROACHED BY LOCAL REPRESENTATIVES OF DHL INTERNATIONAL, A COURIER SERVICE AND FORWARDING AGENT SPECIALIZING IN HANDLING BUSINESS DOCUMENTS, ON A PROBLEM WHICH HAS ARISEN BECAUSE OF STRICT INTERPRETATION BY THE MINISTRY OF COMMUNICATIONS (MOC) ON FORWARDING BUSINESS DOCUMENTS TO KOREA VIA AIR CHARTER.

2. THE MINISTRY INFORMED DHL AUGUST 27 BY LETTER THAT THE LATTER WAS VIOLATING "THE GOVERNMENT MONOPOLY OF POSTAL MATTERS" UNDER ARTICLE 2 OF THE POSTAL LAW BY DELIVERING SHIPPING DOCUMENTS, INVOICES, REPORTS, DESIGN PLANS, BANKERS ACCEPTANCES ETC. SINCE THESE "FALL WITHIN THE CATEGORY OF PERSONAL CORRESPONDENCE." THE LETTER CONTINUES THAT ONLY "INVOICES, LOADING OR CARGO MANIFESTS, CONTAINER SPECIFICATIONS DELIVERED IN A STATE OF BEING UNSEALED AND AFFIXED TO CARGOES" CAN BE EXCEPTED. ACCORDING TO THE LETTER, OTHER DOCUMENTATION WILL HAVE TO BE DELIVERED THROUGH THE POSTAL SYSTEM.

3. ARTICLE II PARAGRAPH 2 OF THE KOREAN POSTAL ACT READS AS FOLLOWS: "NO ONE SHALL ENGAGE IN A BUSINESS OF DELIVERING

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PERSONAL CORRESPONDENCE ON BEHALF OF OTHER PERSONS, AND SHALL CONDUCT AN ACT OF DELIVERING OTHER PERSON'S CORRESPONDENCE THROUGH HIS ORGANIZATION OR SYSTEM; PROVIDED, HOWEVER, THAT UNSEALED DOCUMENTS OR INVOICES AFFIXED TO CARGOES SHALL BE EXCEPTIONAL."

4. ACTION BY MOC EFFECTIVELY PUTS DHL INTERNATIONAL OUT

OF BUSINESS IN KOREA. IN THE MEANTIME OTHER CARGO CARRIERS HAVE TAKEN OVER ITS DOCUMENT FORWARDING BUSINESS BUT MOC IS REPORTED PREPARING INSTRUCTIONS TO CUSTOMS AT KIMPO AND PUSAN TO FORBID DOCUMENTS ARRIVAL EXCEPT THROUGH POSTAL SERVICE OR ATTACHED TO CARGO. OTHER CARRIERS ARE TO BE NOTIFIED OF THIS PROHIBITION.

5. DHL REPRESENTATIVES BELIEVE THAT WHEN THIS BLANKET INJUNCTION TAKES EFFECT OUTCRY BY KOREAN BUSINESS MAY FORCE GOVERNMENT TO RE-EXAMINE ITS POSITION BUT ARE UNCERTAIN AS TO ULTIMATE OUTCOME. THEY HAVE NO IDEA AS TO WHY ROK TAKING THIS ACTION UNLESS TO INCREASE POSTAL REVENUES. REPRESENTATIVES ASSURED EMBASSY OFFICES THAT DHL HANDLED ONLY BUSINESS AND COMMERCIAL PAPERS AS DEFINED IN VARIOUS ARTICLES UPU (ARTICLES 126, 127, 129, 133).

6. SUSPENSION OF DOCUMENT HANDLING SERVICES WILL RESULT IN SERIOUS DIFFICULTIES TO US AND OTHER BUSINESSES IN KOREA ESPECIALLY SINCE SHIPPING DOCUMENTS MAY NOT REACH PORT OF DISCHARGE THROUGH ORDINARY MAIL SERVICE IN TIME WHERE THERE ARE SHORT TRANSIT TIMES BECAUSE OF FAST CONTAINER VESSELS. BANKING OPERATIONS WILL ALSO BE SLOWED.

7. EMBASSY WOULD APPRECIATE US GOVERNMENT POSITION ON THIS MATTER AND SUGGESTION AS TO ACTION, IF ANY, WHICH MIGHT BE TAKEN BY EMBASSY. DHL HAS NOT ASKED US TO TAKE LIMITED OFFICIAL USE

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ANY SPECIFIC STEPS AT THIS TIME PENDING NOTIFICATION BY MOC TO ALL FORWARDERS. IN ADDITION WE WOULD BE INTERESTED IN HOW USG TREATS THIS TYPE OF DOCUMENT FORWARDING OPERATIONS I.E. THROUGH POSTAL SERVICE OR BY FORWARDING AGENTS. SNEIDER

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## Message Attributes

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**Channel Indicators:** n/a  
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**TAGS:** ETEL, BGEN, BDIS, ETRD, KS, US  
**To:** STATE  
**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009